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FILED

JUL 14 2006

RICHARD W. WELLS
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

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7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 DARIO GONZALEZ-FAVELA,
15 Defendant.
16

No. CR 05-0763 JW

**STIPULATION TO CONTINUE
HEARING AND EXCLUDE TIME;
[PROPOSED] ORDER**

17 Defendant and the government, through their respective counsel, hereby stipulate that,
18 subject to the court's approval, the hearing in the above-captioned matter, presently scheduled for
19 Monday, July 17, 2006, be continued to Monday, September 18, 2006, at 1:30 p.m.

20 The continuance is requested because the defense is continuing to investigate this matter
21 and to obtain additional information regarding Mr. Gonzalez-Favela's prior convictions.

22 The parties further agree that time should be excluded under the Speedy Trial Act because
23 the defense requires time for effective preparation and investigation, and the ends of justice
24 outweigh the defendant's and the public's need for a speedy trial.
25
26

STIPULATION TO CONTINUE
HEARING DATE; [PROPOSED] ORDER
No. CR 05-00286 JW

1 Dated: 7/13/06

/s/
LARA S. VINNARD
Assistant Federal Public Defender

3 Dated: 7/13/06

/s/
SUSAN KNIGHT
Assistant United States Attorney

5 **ORDER**

6 The parties have jointly requested a continuance of the hearing set for July 17, 2006, to
7 allow time for the defense to complete investigation.

8 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the hearing date
9 presently set for July 17, 2006, be continued to September 18, 2006, at 1:30 p.m.

10 Pursuant to the parties' stipulation, IT IS FURTHER ORDERED that the period of time
11 from July 17, 2006, to September 18, 2006, shall be excluded from the period of time within
12 which trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 et seq.

14 Dated:

July 14, 2006

James Ware
JAMES WARE
United States District Judge